UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

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Ex parte FREDERIC BAUCHOT

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Appeal 2007-3554
Application 09/887,602
Technology Center 2100

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Decided: October 24, 2007

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Before KENNETH W. HAIRSTON, JAY P. LUCAS, and JOHN A.
JEFFERY, *Administrative Patent Judges*.

HAIRSTON, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134 from a final rejection of
claims 1 to 12. We have jurisdiction under 35 U.S.C. § 6(b).

We will sustain the rejection.

STATEMENT OF THE CASE

Appellant has invented a method of persistently self-replicating
multiple ranges of cells via a copy and paste operation in a multi-
dimensional spreadsheet. The automatic self-replication operation includes

the steps of automatically copying the changed range of cells onto a buffer, automatically determining the set of ranges of cells to which the changed range of cells belongs to, automatically identifying the ranges of cells belonging to the set, and automatically pasting the content of the buffer in each of the identified range of cells belonging to the set (Specification 1 and 6).

Claim 1 is representative of the claims on appeal, and it reads as follows:

1. A method for persistently self-replicating multiple ranges of cells through a copy and paste operation, in a multi dimensional spreadsheet comprising a plurality of cells having content and identified by a cell address along each dimension, a range of cells comprising one or a plurality of cells, the method comprising the steps of:

defining a set of ranges of cells, each range of cells having the same size, and at least two of said ranges having different addresses relative to the top leftmost cell A1 of the respective page on which each of said ranges are located; and

each time the content of a range of cells belonging to said set is changed, automatically performing a self-replication operation, said self-replication operation comprising the steps of:

automatically copying the changed range of cells onto a buffer;

automatically determining the set of ranges of cells to which the changed range of cells belongs to;

automatically identifying the ranges of cells belonging to said set; and

automatically pasting the content of the buffer in each of identified range of cells belonging to said set.

The prior art relied upon by the Examiner in rejecting the claims on appeal is:

Anderson   US 5,463,724   Oct. 31, 1995

Kate Barnes, "*10 Minute Guide to Windows 3.1*," Alpha Books, 60 to 64 (1992).

Microsoft Press, "*Getting Results with Microsoft Office 97*", 169 to 181, (1997), (hereinafter, Office).

The Examiner rejected claims 1 to 12 under 35 U.S.C. § 103(a) based upon the teachings of Anderson, Barnes, and the Office publication.

Appellant contends that the applied references do not teach or suggest the steps of claim 1.

<div align="center">ISSUE</div>

Does the applied prior art teach or would it have suggested to the skilled artisan all of the steps set forth in claim 1?

<div align="center">FINDINGS OF FACT</div>

Anderson describes an electronic spreadsheet with cut, copy, and paste buttons 221 in tool bar 220 that are used for persistently self-replicating multiple ranges of cells through a copy and paste operation in a multidimensional spreadsheet (Figures 2A, 2B, and 4G to 4J; col. 7, ll. 25 to 32; col. 10, l. 58 to col. 11, l. 5). The spreadsheet comprises a plurality of cells having content and identified by a cell address along each dimension (col. 1, ll. 63 to 65; col. 8, ll. 16 to 19). A range of cells can comprise one cell or a plurality of cells (col. 1, ll. 63 to 65; col. 9, ll. 51 to 65). Anderson can define a set of ranges of cells with each range of cells having the same size. At least two of the ranges can have different addresses relative to the top leftmost cell A1 of the respective page on which each of the said ranges are located (Figure 2C; col. 8, ll. 11 to 19; col. 9, ll. 51 to 65). Each time the content of a range of cells belonging to a set is changed, Anderson

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automatically performs a self-replication operation (col. 10, ll. 4 to 20). During the cut, copy and paste operation described *supra*, Anderson uses Windows clipboard/buffer to store cell data that is changed (col. 7, ll. 32 and 33). When Anderson propagates or percolates a changed range of cells from one page to another page of the spreadsheet, he automatically determines the set of ranges of cells to which the changed range of cells belongs, automatically identifies the ranges of cells belonging to the set, and automatically pastes the content in each of the identified range of cells belonging to the set (col. 10, l. 4 to col. 11, l. 30).

The Examiner relied on Barnes for a teaching of copying information into a clipboard/ buffer, and then pasting the information "from the clipboard into a specified location (page 60, lines 14-20)" (Answer 4).

According to the Examiner, "Office discloses automatically updating or pasting spreadsheet cells to a destination Word document, whenever figures within an originating spreadsheet, such as those in an Excel spreadsheet, change, (page 174)" (Answer 4).

PRINCIPLES OF LAW

The Examiner bears the initial burden of presenting a prima facie case of obviousness. *In re* Oetiker, 977 F.2d 1443, 1445, 24 USPQ2d 1443, 1444 (Fed. Cir. 1992). If that burden is met, then the burden shifts to the Appellant to overcome the prima facie case with argument and/or evidence. *See Id*.

The Examiner's articulated reasoning in the rejection must possess a rational underpinning to support the legal conclusion of obviousness. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).

The claims on appeal should not be confined to specific embodiments described in the specification. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323, 75 USPQ2d 1321, 1334 (Fed. Cir. 2005) (*en banc*). During *ex parte* prosecution, claims must be interpreted as broadly as their terms reasonably allow since Applicants have the power during the administrative process to amend the claims to avoid the prior art. *In re Zletz*, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989).

ANALYSIS

In view of the teachings of Anderson (col. 7, ll. 32 and 33, col. 10, l. 58 to col. 11, l. 9), the cumulative cut, copy, paste, and clipboard teachings of Barnes, and the automatic linking and pasting of changed spreadsheet information in the Office publication, we agree with the Examiner that it would have been obvious to the skilled artisan to use the cut, copy, and paste operation described in Anderson and Barnes to select the range of cells that are changed in Anderson, and then automatically copy the changed range of cells onto the Windows clipboard/buffer described in Anderson. Thereafter, as indicated *supra*, the content of the clipboard/buffer would be pasted in the identified range of cells.

Appellant's argument that Anderson does not describe ranges is without merit in view of Anderson's extensive discussion of ranges in columns 9 and 10 (Br. 6).

With respect to Appellant's argument concerning "different relative addresses" for at least two ranges, Anderson specifically states at column 10, l. 58 to col. 11, line 7 that "relative and absolute cell addressing is employed" in connection with ranges of cells (Br. 6 and 7).

Appellant's argument concerning defining at least two sets of ranges of cells is entitled to little, if any, weight since nothing in claim 1 on appeal requires that the defining of one set has to occur at the same time as the defining of the other set. In other words, Anderson can define one range of cells of a set at one time, and another range of cells of another set at a later time, and this action by Anderson would define "at least two of said ranges having different addresses relative to cell A1 of the respective page" (Br. 7).

CONCLUSION OF LAW

The Examiner has established the obviousness of claim 1. The obviousness of claims 2 to 12 has been established by the Examiner because Appellant has not presented any patentability arguments for these claims apart from the arguments presented for claim 1.

ORDER

The obviousness rejection of claims 1 to 12 is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 CFR § 1.136(a)(1)(iv).

AFFIRMED

ce/clj

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